

REMARKS

1. Claim Amendments

The amendments to the claims are fully supported by the specification, for example in Table 1, and therefore do not constitute new matter.

2. Restriction Requirement

The Office Action has stated that the claims lack unity of invention under the assertion that the species of the generic invention are not so linked as to form a single general inventive concept. Specifically, the Office Action asserts that because "[t]he specification states that MBM nucleic acids and polypeptides that can be used in the invention are shown in Table 1," the MBM sequences are not confined to those listed in Table 1 – and therefore the prior art anticipates the instant invention. Under these assertions, the Office Action requires election of a single species from those recited in Table 1. Applicants respectfully traverse this species election.

Applicants have amended claims 1 and 26 (and thus their dependent claims) to require that the MBM polypeptide be selected from the group consisting of those recited in Table 1 of the specification. Thus the MBM sequences recited in the claims are confined to those listed in Table 1, therefore the species form a single general inventive concept. As such, Applicants respectfully contend that the species election requirement is improper as applied to the amended claims. Applicants therefore respectfully request withdrawal of the species election requirement and examination of the claims as amended.

Nevertheless, Applicants provisionally elect MAPK4 as the species to which the claims shall be restricted if no generic claim is finally held to be allowable. All pending claims, *i.e.* claims 1-32, read on this species.

If the Examiner believes that a telephone or personal interview would expedite prosecution of the instant application, the Examiner is respectfully invited to call the undersigned representative at (312) 913-0001.

Respectfully submitted,
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